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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,546	08/05/2003	Keith Woods		6468

7590 08/10/2004  
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EXAMINER
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MARTINEZ, JOSEPH P

ART UNIT	PAPER NUMBER
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2873

DATE MAILED: 08/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/633,546	WOODS, KEITH	
	<b>Examiner</b>	<b>Art Unit</b>	
	Joseph P. Martinez	2873	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 August 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. ____.  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____.   | 6) <input type="checkbox"/> Other: ____.                                    |

## **DETAILED ACTION**

### ***Drawings***

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference character(s) mentioned in the description: 14 on p. 4, paragraph 23. Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wynne Wilson et al. (6102554) in view of Gulliksen (4257086) in further view of Ashby et al. (4306511).

Re claim 1, Wynne Wilson et al. teaches for example in fig. 5, an iris diaphragm comprising an annular base (49 or 48, col. 5, ln. 17-19, wherein the office interprets the outer ring to be stationery if the inner ring is rotatable or the outer ring is rotatable if the inner ring is stationary and furthermore that the ring which is stationary is a base and the ring that is rotatable is a rotatable element), an annular rotatable element (49 or 48, col. 5, ln. 17-19) and a number of leaves (51 and 52) which can be mounted to form a variable aperture, each leaf extending between the base and element and being connected thereto in a pivotal relationship (via 53 and 54), is characterized in that a first end of said leaves is pivotally connected (col. 2, ln. 46-51) to an opening (58) provided on the element or base (col. 2, ln. 46-51, wherein the office interprets mounting via a fixed pin to include securing the leaf), and a second end of each of said leaves being rotatably secured in a sliding relationship (col. 2, ln. 46-51) to a slide (59) provided on the base or the element by means of a slide pin (55 and 56) secured to the leaf.

But, Wynne Wilson et al. fails to explicitly teach a burst hole joint as a fastening means.

However, within the same field of endeavor, Gulliksen teaches for example in fig. 3, a fastening means or any suitable fastening means (26 and 28, col. 3, ln. 32-34).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Wynne Wilson et al. to include the fastening means of Gulliksen in order to secure the components in place, as taught by Gulliksen in col. 3, ln. 32-34.

But, Wynne Wilson et al. in view of Gulliksen fail to explicitly teach a burst hole joint.

However, within the field of fastening means, Ashby et al. teaches for example in fig. 1A, a burst hole joint (col. 5, ln. 25-30).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the iris diaphragm as taught by Wynne Wilson et al. in view of Gulliksen with the fastening means of Ashby et al. in order to have an integral fastening system with the intrinsic advantages that the fastener is produced from the sheet material and that the joining of the two or more sheets is largely independent of their surface finish and/or type of material, as taught by Ashby et al. in col. 1, ln. 30-35.

Re claims 2 and 3, Wynne Wilson et al. further teaches for example in fig. 5, the burst hole joints attach (as disclosed above in claim 1) the leaves to the base (49 or 48, col. 5, ln. 17-19), and the slides are provided on the rotatable element (49 or 48, col. 5, ln. 17-19, wherein the office interprets the outer ring to be stationery if the inner ring is rotatable or the outer ring is rotatable if the inner ring is stationary and furthermore that the ring which is stationary is a base and the ring that is rotatable is a rotatable element) or the burst hole joints attach (as disclosed above in claim 1) the leaves to the rotatable element (49 or 48, col. 5, ln. 17-19), and the slides are provided on the base (49 or 48, col. 5, ln. 17-19, wherein the office interprets the outer ring to be stationery if the inner ring is rotatable or the outer ring is rotatable if the inner ring is stationary and furthermore that the ring which is stationary is a base and the ring that is rotatable is a rotatable element).

Re claims 4 and 17, Ashby et al. further teaches for example in fig. 1A, the burst hole joints comprise an opening (84A) provided in the rotatable element (84, wherein the office interprets the attachment site of the rotatable element to be sheet-like and therefore able to be

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fastened in such a manner), through which the material of the leaf (82, wherein the office interprets the leaf element to be sheet-like and therefore able to be fastened in such a manner) has been punched, the parts of the leaf (82A) which extend through the opening being folded back against the rotatable element to provide a secure fixing (col. 5, ln. 23-30).

Re claims 5 and 6, Wynne Wilson et al. further teaches for example in figs. 2A-2B and 5, the second ends of the leaves are provided with slide pins (55), which are adapted to fit into the slides (59) and the slide pins comprise a cylindrical pin (pins 12, 13 and 14, figs. 2A-2B, wherein fig. 2A discloses the shape of the head of the pin and fig. 2B discloses the height of the pin, thereby forming a cylinder).

Re claim 7, Wynne Wilson et al. further teaches for example in figs. 1A-1D, the leaves (10 and 11) are mounted at equal points around the circumference of the iris aperture (2), and in which the inner edges of the leaves are provided with a curve which corresponds to the curvature of the aperture (wherein the office interprets the iris diaphragm curvature during operation to be consistent with the curvature of the aperture, smooth and circular for example).

Re claims 8 and 9, Wynne Wilson et al. further teaches for example in fig. 5, the rotatable element (49) is a disc and the disc is disposed in the base (48, wherein the office interprets the outer ring to be stationery if the inner ring is rotatable and furthermore that the ring which is stationary is a base and the ring that is rotatable is a rotatable element).

Re claims 10-12, Wynne Wilson et al. further teaches for example in fig. 3, the disc (18) is provided with an operating handle (30) which extends through an opening provided in the base (wherein the office interprets the operating handle to clearly be extending past the circumference of the fixed plate), the operating handle is connected to an operating means and the operating means is an electric motor (col. 7, ln. 47-51).

Re claim 13, Wynne Wilson et al. further teaches for example, the iris is adapted for use with a spot light (col. 1, ln. 13-16).

Re claim 14, Wynne Wilson et al. further teaches for example, the iris is provided with eighteen leaves (col. 3, ln. 8-10).

Re claim 15, Wynne Wilson et al. further teaches for example in fig. 4F, the iris is a dual plane iris (col. 8, ln. 6-8).

### ***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph P. Martinez whose telephone number is 571-272-2335. The examiner can normally be reached on M-F 7:00 AM to 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Y. Epps can be reached on 571-272-2328. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JPM  
8-2-04

  
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